

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:11-CT-3045-FL

DAVID RICHARDSON,

Plaintiff,

v.

BOSTICK, et al.,

Defendants.

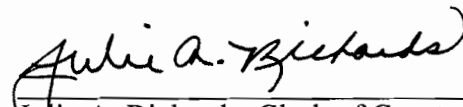
)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)

**ENTRY OF DEFAULT**

On March 7, 2011, David Richardson ("plaintiff") filed this action against several defendants, including Capt. Beck ("Beck") [D.E. 1]. On October 25, 2011, plaintiff served Beck with summons and the complaint [D.E. 34]. Beck failed to answer or otherwise respond. On February 21, 2012, plaintiff moved for entry of default against Beck [D.E. 50]. The clerk of court denied without prejudice plaintiff's request [D.E. 55]. On March 5, 2012, plaintiff re-filed a motion for entry of default against Beck [D.E. 56].

Rule 55(a) of the Federal Rules of Civil Procedure provides for entry of default against a party who "has failed to plead or otherwise defend." On October 25, 2011, plaintiff perfected service on Beck, and the time within which this defendant may answer or otherwise plead has expired. See Fed. R. Civ. P. 12(a)(1)(A). It appears that defendant is subject to default. Accordingly, plaintiff's motion for entry of default against defendant Capt. Beck is GRANTED [D.E. 56].

SO ORDERED. This 6<sup>th</sup> day of March 2012.

  
Julie A. Richards, Clerk of Court